

Minutes

Board of County Commissioners Hyde County

February 7, 2011

Chairman Sharon Spencer called the Regular Meeting of the Hyde County Board of Commissioners to order at 6:30 PM on Monday, February 7, 2011 in the Hyde County Government Center, Multi-Use Room and the Ocracoke School Commons Area using electronic conferencing equipment. The following members were present on the mainland: Commissioners Anson Byrd, Sharon Spencer, Barry Swindell and Dick Tunnell; County Manager Elect, Mazie Smith; Deputy Clerk to the Board Shelley Carawan; County Attorney Fred Holscher; and members of the public. The following members were present on Ocracoke: Commissioners Darlene Styron; Deputy Clerk, Jamie Tunnell and members of the public.

Following the opening prayer given by Commissioner Dick Tunnell and the Pledge of Allegiance, the meeting was called to order.

Consideration of the Agenda:

Chairman Spencer asked for any changes to the February 7, 2011 meeting agenda as presented by the Clerk.

County Manager, Mrs. Smith, requested that the following items be added to the agenda, Item V. H. – Other Matters- Priority List of Hyde County Roads and Bridges, Item V. I. – Other Matters- Surplus Property and under Item V. F. 1. – Other Matters- Application of Golden Leaf Funds.

Commissioner Tunnell made a motion to approve the revised agenda with the following amendments: Item V. H. – Other Matters- Priority List of Hyde County Roads and Bridges, Item V. I. – Other Matters- Surplus Property and under Item V. F. 1. – Other Matters-Application of Golden Leaf Funds. Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Consideration of Minutes:

Chairman Spencer asked for approval of the January 18, 2011 Regular meeting minutes.

Commissioner Swindell moved to approve January 18, 2011 regular minutes as presented by the Clerk. Ms. Styron seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Special Presentation:

ABC Board Report- Charlotte Smith

Charlotte Smith, Manager of the Mainland ABC store, presented the current financials for both the Island and Mainland stores. After discussion, Ms. Smith explained that both stores are open six days a week, six hours a day for a 36 hour work week. When asked why the Island store remained open full time during winter hours, Ms. Smith stated that the ABC Board Chairman, Jay Etheridge requested that the store remain open.

Commissioner Styron asked that the Board be presented with the November 2010 and December 2010 financials for review and questioned the inventory costs listed.

Ms. Smith added that she will be at the next scheduled Board Meeting alongside the auditor, Ken Chilcoat. She also said she will be giving the requested information to the Deputy Clerk for distribution to the Board as soon as possible.

Chairman Spencer added that the Board needed to see all operating costs.

Ms. Smith was thanked by the Board for her update.

Public Presentation of the 2010 State of the County Health Report-Laura Poole

Every four (4) years, Local Health Departments (LHD) are required to submit a comprehensive Community Health Assessment (CHA), which requires the collection of primary and secondary data at the county level. The most recent CHA for Hyde County was conducted in 2007. During the three (3) interim years, the local health department will issue a State-of-the-County's Health Report that provides updated information about the priority health issues specific to the county. The results are to be disseminated to local health department stakeholders, community partners and the general population. This is the third and final SOTCH report that is required for the 2007 Community Health Assessment. In 2011, the Hyde County Health Department

is required to submit a new comprehensive Community Health Assessment. Laura Poole, RN, PHN II of the Hyde County Health Department presented to the Board the bound report and stated that it's similar to the 2009 report. She also added the report presents the positives and negatives of the County as well as interesting information for the public. This report is required to be presented to the community.

Public Comments:

Chairman Spencer called for comments from the public.

Glen Hockney, Middleton, requested that the Board make a decision about his idea to harvest methane gas and submit the decision in letter form so that if there is approval, he can apply for grants for the project. He stated that the methane gas can be taken and utilized for the betterment of Hyde County, but he needs a letter of support from the Commissioners in order to proceed. He also added that he believes methane gas is seeping into the water around his home and the best solution is to mine or harvest the methane gas and provide it farmers or others as fuel. Mr. Hockney further stated his belief that there is fifty years worth of electricity that could be generated from harvest methane. Mr. Hockney ended by saying that nobody has come to look at his property and that he is just trying to get the job done.

Frank Swindell, Engelhard, said the County was in a mess. He also said that Mr. Hockney was telling the truth about the methane and that he was not treated right by the County. Mr. Swindell stated that a lot of injustice has taken place and that he hasn't been treated fairly by the County either. He said the ABC store problems continue and that there are garbage pickup problems. He said every utility and service should be separate and that the county should consider having a private company handle the trash services. He also mentioned that the County is robbing people by making them pay for trash services and he hopes to see more improvement.

Appointments

Appointment of Comprehensive Transportation Plan Committee

NCDOT is requesting that the County appoint a committee to serve on the Comprehensive Transportation Plan Committee. At its January 18, 2011 Board Meeting, Chairman Spencer challenged the Board to nominate one candidate at the February 7, 2011 Board Meeting.

Commissioner Styron nominated Robin Payne and Leslie Lanier. She also suggested George Chamberlin who is undecided at this time.

Commissioner Byrd nominated Janet Russ.

Commissioner Tunnell nominated Bryan Carawan.

Commissioner Swindell nominated Dean Armstrong.

Chairman Spencer nominated Mike Adams.

Commissioner Byrd made a motion to nominate Robin Payne, Leslie Lanier, Janet Russ, Bryan Carawan, Dean Armstrong and Mike Adams to the Comprehensive Transportation Plan and notifying them with the frequency of meetings and term length. Mr. Swindell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Ordinances and Resolutions:

Airport Advisory Committee

A resolution to support recommendations by the Hyde County Airport Advisory Committee for project priorities in the NCDOT Transportation Improvement Plan and for the completion of the Stormwater Pollution Prevention Plan at the Hyde County Airport. Commissioner Byrd made a motion to accept the resolution in support of the recommendations provided by the Hyde County Airport Advisory Committee. Mr. Swindell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Noise Ordinance

A noise ordinance has been placed on the County website for viewing purposes. The public will be allowed to comment on the proposed noise ordinance. Chairman Spencer thanked County Attorney, Fred Holscher for his efforts.

Other Matters

Budget Revisions

In accordance with the FY 2010-2011 Budget Ordinance several budget transfers were made administratively and Mrs. Smith recommends approval of the following:

cover the expense to install a new float at the sewer lift station and rework controls to conform to plans at the Mattamuskeet Wildlife Refuge. These funds will be reimbursed to the Health Department when the Refuge pays their annual PME fees later this year. \$380.00 **does not increase the budget.**

Elections---\$700.70---HAVA state grant to reimburse elections expenditures. \$700.70 **does increase the budget.**

DSS---\$8,000.00---Contract worker was given more duties due to the illness of an employee. Foster Care costs went up due to the number of foster kids. \$8,000.00 **does not increase the budget.**

Health Dept.---\$127,324.00---The Kate B. Reynolds Charitable Trust approved a \$330,675.00 grant that was approved to be paid over a three year period. This pertains to the Health Educator position that was approved last Board Meeting to be advertised for. \$127, 324.00 **does increase the budget, requires no county appropriations.**

Soil and Water---\$1,500.00---Soil and Water increased phone line. \$1,500.00 **does not increase budget**

DSS---\$5,000.00---DSS increased County Crisis line. \$5000.00 **does not increase budget, but money will decrease contingency line**

Gloria Spencer, Social Services Director, stated that \$5000 was needed to provide the elderly and low income residents with heating assistance funds. The funds are used to heat the homes of 60 year old and older citizens or handicapped citizens residing in Hyde County. When asked how long the money will last, Mrs. Spencer stated it all depends on the amount of eligible people requesting assistance. She said the \$5000 that was approved last fiscal year helped 24 families. Mrs. Spencer added any funds not dispersed will remain in the line item for use in the next fiscal year.

Commissioner Byrd made a motion to approve the DSS County Crisis line in the amount of \$5000.00. Chairman Spencer seconded the motion.

Ayes: Byrd, Spencer

Nays: Styron, Swindell, Tunnell

Commissioner Swindell made a motion to approve the remaining budget revisions. Mr. Tunnell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

EMS- On Call- Jared Holz

Emergency Services Director, Jared Holz, presented information to the Board in support of reestablishing the EMS On-Call Policy. Mr. Holz stated that the current "All Call" policy is failing miserably. He stated that in the past two weeks, there had been six requests made for second response personnel and only one EMS employee had responded. Mr. Holz added that at his request, dispatchers have been contacting him if no second responders called in within two minutes. He has since received numerous calls at 2 a.m.

Mr. Holz said the new on-call policy would use personnel physically located within the County to make the cost of the program affordable. To operate this program until the end of the fiscal year, it will cost the County approximately \$14,600 or \$35,040 annually at a rate of \$2 per hour. Mr. Holz added that an extra effort will be made to utilize part-time personnel as much as possible to keep overtime to a minimum.

Mr. Holz addressed the billing collections and said that the new billing company should collect \$100,000 for September-April billing. He also said that he anticipates more funds will be collected before the end of the fiscal year.

Commissioner Swindell made a motion to re-establish the On-Call policy. Mr. Byrd seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

EMS- Dialysis Transport- Jared Holz

ES Operations Director, Jared Holz presented to the Board the idea of transporting dialysis patients. Mr. Holz said that this service is not only a beneficial service to the patients, but would also provide the County with an opportunity to earn revenue for the EMS program.

Mr. Holz added that the transportation of each dialysis patient should generate approximately \$78,000 per year, per patient. The estimates are based on the following assumptions:

- 1) Dialysis patients are generally transported three times per week, on either a Monday-Wednesday-Friday schedule or Tuesday-Thursday-Saturday schedule.
- 2) Each ambulance can transport two patients per day.

- 3) With our current resources, we can dedicate two ambulances to this service per day, which gives us the ability to transport up to eight patients per week.
- 4) To provide the most expensive cost scenario, salaries were estimated using overtime rates.
- 5) Fuel costs were calculated at \$4 per gallon.

Based on these assumptions, Mr. Holz believes the County could net as much as \$196,518 per year for four patients, \$340,038 for six patients or \$433,638 if eight patients are transported. He also added that he believes this program enhances the capabilities of our EMS to provide services to the citizens as well as better utilizes our existing equipment and personnel.

Chairman Spencer commented that the idea sounds great but she has reservations about implementing it at the present time.

Commissioner Tunnell suggested tabling the idea.

Mr. Holz updated the Board with his progress as Operations Director in the areas of EMS and Emergency Management.

Emergency Medical Services

- Scheduling: being updated and time sheets are now being done electronically.
- An RFP for bids to provide preventative maintenance on EMS equipment will be issued soon
- An Ambulance hit a deer resulting in \$2000 worth of damage
- Colleton Billing: ordered laptops to use for entering reports for billing
- A new paramedic has been hired on the mainland to help decrease overtime
- One mainland EMT has been reassigned to Ocracoke from the mainland
- There will be a helicopter evacuation exercise held on Ocracoke on March 4th
- Repairs have been made to the EMS station to the holes in the floor
- Standard Operation Procedures are being developed for operating the program

Emergency Management

- Mr. Holz reported the emergency generators have not been serviced since June, and that a maintenance contract has been processed
- The antennas that blew off of the Ocracoke station have been repaired
- There will be a simulated hurricane evacuation exercise to be held in March on Ocracoke, with representatives from numerous agencies participating. The exercise is being funded by a grant from the State.

- The registry of special needs citizens in the County is being updated as prescribed
- A HAZMAT tent has been donated by Pungo District Hospital to the County
- A donation was also received from Hunters Helping Kids in the amount of \$200 for EMS services during the Duck Youth Hunt held February 5th
- Mr. Holz reported he and three staff members will be attending HurrEvac training in Atlanta in April. Mr. Holz stated the program provides instruction as to how to handle hurricane evacuations and reentry utilizing a nationally recognized software program.
- The County's CAD system is being updated to reflect changes and additions in 911 addresses

Suggested Closed Session Procedures

Mr. Smitherman and Mrs. Smith collaborated on a list of procedures to follow when dealing with closed sessions and minutes. The list has been reviewed by the NCACC. Commissioner Byrd made a motion to approve the proposed list of closed session procedures. Mr. Swindell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Mattamuskeet Lodge Sewer Project- NC Clean Water Management Trust Fund Grant Contract

In February 2009, after an unsuccessful application for grant funds to N.C. Clean Water Management Trust Fund for the Mattamuskeet Lodge Sewer Project, Hyde County was referred to apply to N.C. Division of Environment and Natural Resources (NCDENR) for Recovery Funds (ARRA). NCDENR denied the request for funds at that time however CWMTF kept Hyde County's application on file until funding could be made available. According to CWMTF denial was made, "because of the economic crisis affecting our state."

In November of 2009 Hyde County submitted all required documents to transfer the 2009 application into the 2010 cycle for consideration. In July 2010, CWMTF requested additional information from Hyde County which was submitted. In late August 2010, CWMTF and the N.C. Rural Center requested that a sanitary survey certified by a Registered Health Sanitarian be conducted along the route of the force main from the end of the Engelhard Sanitary District (ESD) to the Lodge.

At the request of the Hyde County Office of Economic Development and Planning the North Carolina Rural Communities Assistance Project, Inc. (NCRCAP) developed and executed a sanitary survey for the Mattamuskeet Lodge Sewer Force Main project to determine septic system failure rates within the proposed project area. All components of the survey were executed between September 1 and November 12, 2010. A presentation of the sanitary survey by NCRCAP is scheduled for the February 21, 2011 Hyde County Board of Commissioner's meeting to further explain the results.

Upon the receipt of the sanitary survey, CWMTF notified Hyde County that the Mattamuskeet Lodge Sewer Project was a critical need project and the request for grant funds would be made. Hyde County received the Grant Contract on January 30, 2011 for funds in the amount of \$609,590.

The Grant Contract is a standard form used by the Clean Water Management Trust Fund. The Grant Contract has been reviewed by Hyde County staff and has standard grant funding agency guidelines. The Grant Contract is time specific requiring Hyde County to be under a Construction Contract by November of 2011, which will mean having all grant funds secured for Phase I of the project and bidding the work successfully before that date. The Grant Contract calls for an expiration date of July 31, 2012 meaning all construction should be completed and funds drawn down by that date. An extension is available but only given if adequate and timely progress has been made. The CWMTF would like to complete this process and encumber the funds for this project as soon as possible.

Commissioner Swindell made a motion to authorize the Chair to execute all required documentation to accept the CWMTF Grant Contract and authorize county staff to proceed in acceptance of grant. Mr. Tunnell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Mattamuskeet Lodge Sewer Project-Golden Leaf application for Construction Funds

On February 3, 2011 Golden LEAF Foundation invited Hyde County to submit a full application for funds for the Mattamuskeet Lodge Sewer Project. If the application is submitted no later than February 24, 2011, it will be reviewed at the April Board meeting of Golden LEAF. If it is not submitted by that date the Board cannot promise it will be reviewed. All of the information was emailed due to the quick turnaround time. Time is of the essence in applying for these funds. The Golden

LEAF funds will complete the grant funding package for the Mattamuskeet Lodge Sewer. Commissioner Byrd made a motion to authorize the chair to execute all required documentation to apply for the Golden LEAF funds and authorize county staff to prepare all such documentation. Ms. Styron seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Senate Bill 13 – Golden LEAF Resolution

The state Senate gave tentative approval Thursday to Senate Bill 13, a measure that gives the governor the power to cut an estimated \$400 million from the current year budget. The bill will return \$140 million of unspent money. Part of these funds may come from the Golden LEAF Fund which may lose up to \$68 million. The County Manager suggested the Board pass a resolution opposing this bill. She will prepare the resolution for the next meeting.

Priority Roads and Bridges

William Griffin, Albemarle Commission, requested that the county provide a list of priority roads and bridges. After brief discussion, it was mentioned that the list was requested and provided 2 months ago.

Surplus Property

County Manager Smith asked that the Board approve a process that would allow the Utilities Department to dispose of surplus property in the amount of \$100 or less in value that is stored in the old dentist office. Commissioner Styron made a motion to dispose of surplus property in the amount of \$100 or less. Mr. Swindell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

County Manager's Report

Mrs. Smith reported that the repairs made to the EMS station were made because the floor was weak.

Commissioner Byrd commented that there was an engineer assigned to this project to inspect it from its beginning and there shouldn't be any problems with a 2 year old building. The problem is that there are projects being built and are never being looked at or followed up on. Mr. Byrd also said that upon visiting the airport terminal post renovations, it was a disgrace.

Frank Swindell, Engelhard, said that Commissioner Byrd's comments about the airport are the same thing he has been complaining about. Mr. Swindell then said that the County should have the current County Attorney, Fred Holscher, sue the people that have caused the shortcomings because they should have been on top of projects. Former Manager, Classen, was told about the airport lights staying on and he did nothing about it and he should be liable for the money it cost the County to operate those lights. The County should take the tax dollar and use it correctly.

Commissioner Reports

Commissioner Styron congratulated Mr. Holz for coming aboard and looks forward to working with him.

Ms. Styron met with the Board of Adjustments and would like to re-establish the Planning Board.

She thanked George Chamberlin for his assistance with the Airport.

She also reported that she had attended the afterschool dinner program at the school.

Ms. Styron noted that the 4th of July Committee met.

She went to the Continuing Ed classes with EMS and mentioned that it was hard to get classes to be held on the Island but it's finally taking place.

The Ocracoke Foundation Meeting was held and there are a lot of things going on in Ocracoke and things are moving forward.

Ms. Styron is looking forward to the Essentials of County Government classes that are being held in Raleigh later in the week.

Commissioner Swindell welcomed Mr. Holz.

Commissioner Tunnell visited the Legislature and the Governor's mansion for special interest meeting regarding agriculture.

Mr. Tunnell also attended the Southern Albemarle Committee meeting and will be attending the upcoming Albemarle Resource Conservation & Development meeting and they will be exploring different projects.

Commissioner Byrd welcomed Mr. Holz and added that he will stay busy.

He said that he felt the Airport Committee made progress and there were a lot of good ideas.

Mr. Byrd also added that the ECBH will be meeting on the 18th.

Commissioner Spencer said that she attended the Airport Committee meeting and the Task Force for wind turbines meeting. She also mentioned the importance of the current issue regarding the sea level rise for all coastal counties.

Closed Session

Commissioner Byrd made a motion to enter into Closed Session pursuant to N.C.G.S. 143-318.11(a)(4). Ms. Styron seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

Nays: None

Commissioner Swindell made a motion to come out of closed session. Mr. Tunnell seconded the motion.

Ayes: Byrd, Spencer, Styron, Swindell, Tunnell

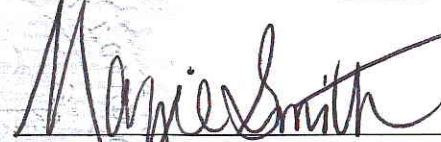
Nays: None

Commissioner Swindell made a motion to adjourn the February 7, 2011, Regular Meeting of the Hyde County Commissioners. Commissioner Byrd seconded the motion.

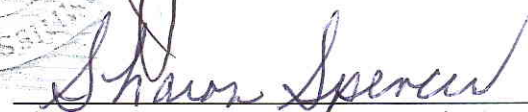
The February 7, 2011 Regular Meeting of the Hyde County Board of Commissioners adjourned at 10:00 PM.

Respectfully submitted:

Minutes approved on the 21 day of February 2011



Mazie Smith, Clerk - Hyde County Board of Commissioners



Sharon Spencer, Chairman - Hyde County Board of Commissioners